

**City of Taylorsville**  
**CITY COUNCIL MEETING**  
*Minutes*

**Wednesday, January 19, 2005**  
**Council Chambers**  
**2600 West Taylorsville Blvd., Room No. 140**  
**Taylorsville, Utah 84118**

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**BRIEFING SESSION**

**Attendance:**

Mayor Janice Auger

**Council Members:**

Chairman Russ Wall  
Vice-Chairman Morris Pratt  
Council Member Bud Catlin  
Council Member Les Matsumura  
Council Member Jerry Rechtenbach

**City Staff:**

John Inch Morgan, City Administrator  
John Brems, City Attorney  
Virginia Loader, City Recorder  
Robin Kishiyama, Council Coordinator  
Larry Marx, Police Chief  
Don Adams, Economic Development Director  
Mark McGrath, Community Development Director

**BRIEFING SESSION**

Chairman Russ Wall conducted the Briefing Session, which convened at 6:00 p.m. The Council reviewed the Administrative Report, after which the agenda was discussed.

Discussion was held in regards to the scope of the Redwood Road Improvement Project and whether or not the City should pay for a traffic light that is to be installed at 1500 West. It was the consensus of the City Council that the City has the responsibility of the safety of the citizens and the City's responsibility should not extend beyond a signal light. The Council then agreed to have a resolution prepared for the next City Council Meeting on February 2, 2005 that defines the cost of hardware and installation for a traffic light for the Council's consideration.

The Council also requested a legal opinion from City Attorney John Brems as to whether or not a traffic light should be included in the Redwood Road Improvement Project.

Council Member Bud Catlin **MOVED** to adjourn the Briefing Session. Council Member Les Matsumura **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-yes. **All members of the City Council were in favor and the motion carried by a unanimous vote.**

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## **REGULAR MEETING**

### **Attendance:**

Mayor Janice Auger

### **Council Members:**

Chairman Russ Wall  
Vice-Chairman Morris Pratt  
Council Member Bud Catlin  
Council Member Les Matsumura  
Council Member Jerry Rechtenbach

### **City Staff:**

John Inch Morgan, City Administrator  
John Brems, City Attorney  
Mark McGrath, Community Development Director  
Don Adams, Economic Development Director  
Virginia Loader, City Recorder  
Robin Kishiyama, Council Coordinator  
Larry Marx, Chief of Police

**Citizens:** Carol Pierce, Bill Perone, Jacob Paul, Annie L Pratt, Brittney and Kaleigh Gillespie, Erin Paul, Tiago DeAlencar, John E. Gidney, Katy Larsen, Taliter DeAlencar, Brad Gillespie, Michelle Peters, Glenn Christensen, Tyler Housley, Bryan Adams, Ken Carroll, D. Thurland Reay

## **1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS**

18:34:58 Chairman Russ Wall called the meeting to order at 6:35 p.m. and welcomed those in attendance. He then reviewed the Citizen Comment Procedures for the audience.

### **1.1 Pledge of Allegiance – Opening Ceremonies – *Morris Pratt***

18:36:41 Jacob Paul directed the Pledge of Allegiance.

### **1.2 Reverence – (Opening Ceremonies for February 2, 2005 to be arranged by Youth Council)**

18:37:32 Erin Paul offered the Reverence.

18:38:22 Council Member Bud Catlin introduced his counterpart on the City Youth Council, Taliter DeAlencar

18:38:44 Chairman Wall recognized Boy Scout Troops 849 and 829.

### **1.3 Citizen Comments**

18:39:16 Chairman Russ Wall called for any citizen comments.

18:39:43 **Land Reay** said that he would like to see expanded programming on Channel 17, delivering broadcasts of Public Hearings of Taylorsville City. He said that this would benefit those who cannot attend and give them an opportunity to be more involved. 18:40:28 Mayor Auger explained broadcasting programs to date and plans for the future.

18:41:11 Chairman Wall read a letter addressed to Sheriff Aaron Kennard from Jackie Piercy, St. Matthews Church, in regards to the positive impact of the "Shop with a Sheriff Program".

### **1.4 Mayor's Report**

18:44:40 Mayor Janice Auger spoke in regards to a pending temporary and permanent permit for a Utah Power substation in West Jordan. She explained that there could be a portion of Taylorsville that is impacted.

18:45:53 Animal Control services installed a generator at their location 500 West 3900 South.

18:46:19 Newly elected officials of Cottonwood Heights were recently sworn in. There are now 16 cities that will be participating members of the United Fire Authority (UFA).

18:46:57 A UDOT Information Meeting is scheduled to be held.

18:48:21 A meeting in regards to Master Planning the Jones Dairy will be held February 3<sup>rd</sup> at 6:00 p.m. at the Jones Museum.

18:49:30 Fourteen members of the Youth City Council attended Elected Officials Day at the Legislature earlier today.

## 2. REPORTS

### 2.1 Police Department – *Chief Marx*

18:51:11 Chief of Police Larry Marx presented a proposed Vehicle Use Policy and he also reviewed a time line for hiring. Chief Marx said that he does not yet have a seniority policy but it will be part of the operational administration.

18:55:36 Chief Marx then addressed questions from the City Council 18:59:01 after which he displayed a badge, patch and car design that were designed at the Utah Corrections (UCI) sign shop.

19:01:55 Additional questions were then addressed.

### 2.2 Utah League of Cities and Towns, Regarding Pending Litigation – *Lincoln Shurtz*

19:03:01 Lincoln Shurtz, Utah League of Cities and Towns (ULCT), presented a report on pending *legislation*, rather than litigation.

19:14:02 Ken Bullock, ULCT Executive Director, also was in attendance and addressed the Council regarding tax structure and revenue.

19:15:56 Mayor Auger and Council Members then offered comments.

## 3. APPOINTMENTS

### 3.1 Doreen Weyland and Kim Rotta, Ordinance Review Committee – *Council Chairman Wall*

19:18:00 Council Chairman Russ Wall nominated Doreen Weyland and Kim Rotta to serve on the Ordinance Review Committee.

19:18:18 Council Member Morris Pratt **MOVED** to appoint Doreen Weyland and Kim Rotta as members of the Ordinance Review Committee. Council Member Bud Catlin **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

### **3.2 Bennion Gardner, Economic Development Committee – *Council Chairman Wall***

19:18:54 Council Chairman Russ Wall nominated Bennion Gardner to serve on the Economic Development Committee.

19:19:16 Council Member Les Matsumura **MOVED** to appoint Bennion Gardner as a member of the Economic Development Committee. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

### **3.3 Michelle Peters, Healthy Taylorsville – *Mayor Auger***

19:19:36 Mayor Janice Auger recognized Michelle Peters and nominated her to serve on the Healthy Taylorsville Committee.

19:19:50 Council Member Bud Catlin **MOVED** to appoint Michelle Peters as a member of the Healthy Taylorsville Committee. Council Member Morris Pratt **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

## **4. CONSENT AGENDA**

- 4.1 Minutes – RCCM 12/15/04, RCCM 1/5/05 and CCWS 1/12/05**
- 4.2 Set Public Hearing Date for the Community Development Block Grant (CDBG) and Home Funds (February 16, 2005, 6:30 p.m.)**
- 4.3 Set Public Hearing Date to Consider 2004-2005 Mid-Year Budget Adjustment (February 16, 2005, 6:30 p.m.)**
- 4.4 Set a Date and Time for the Capital Projects Planning Session (Saturday, February 19, 2005, 2005, 7:00 a.m.)**

19:20:35 Council Member Les Matsumura **MOVED** to adopt the Consent Agenda with corrections to the minutes as discussed in the Briefing Session. Council Member Bud Catlin **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

## 5. PLANNING MATTERS

### 5.1 Public Hearing – 6:30 p.m. – Regarding Filing #13Z04 Amending the Official Zoning Map of the City by Reclassifying Certain Property Located at 4246 South 2200 West – *Mark McGrath*

19:21:35 Community Development Director Mark McGrath explained that DR Horton successfully rezoned a .67 acre lot located at 4246 South 2200 West for the purpose of building a six-unit development. Once the zoning was changed and the approval process for the PUD began, it was discovered that the subject property had been illegally subdivided. Mr. McGrath further explained that, originally, the existing home (the subject property) and the vacant area in back (where the PUD is proposed) were one lot and at some point someone recorded a lot split with the County separating the two. Mr. McGrath explained that the problem is that the new lot where the home is located is only 8,075 square feet and does not meet the existing standard of 10,000 square feet in the A-1 zoning classification. DR Horton is requesting that the City rezone the lot where the home sits to R-M and therefore eliminate the 10,000 square foot requirement. Once the zoning is changed, a legal subdivision can be obtained and the PUD project can continue.

Mr. McGrath said that because the subject property is currently in foreclosure and the legal property owner can not be located, DR Horton has requested that the City of Taylorsville conduct a City sponsored rezone. Based on the circumstances the Mayor has agreed to have the City act as the applicant for this application.

Mr. McGrath said that the current zoning is A-1 and the General Plan calls for medium density residential. There is a single family home on the property with a long history of code enforcement violations. DR Horton has indicated that they would like to purchase this property once it clears foreclosure and add it to their PUD proposal.

He also explained that the Planning Commission voted 4-2 to recommend rezoning the subject property on December 14, 2004 and staff also recommends approval.

19:26:45 Mr. McGrath addressed questions from the City Council.

19:30:00 Bill Pepperoni, DR Horton, is the applicant and he spoke to the Council and presented copies of photographs of the subject property.

19:33:16 Mr. Josh Chapman, adjoining property owner, explained that he has spent over \$10,000 in cleanup of the subject property.

19:29:34 Council Chairman Wall opened the Public Hearing.

19:36:46 There being no comments, Chairman Wall declared the Public Hearing closed.

19:36:55 Council discussion was then held.

19:37:47 Mr. McGrath explained that the Planning Commission vote was 4-2 in favor and the two opposing votes were because they are concerned about the City being the applicant.

**5.1.1 Ordinance No. 05-06 – Amending the Official zoning Map of the City of Reclassifying Certain Property from A-1 to R-M on Property Located at 4246 2200 West**

19:38:09 Council Member Morris Pratt **MOVED** to adopt Ordinance No. 05-06. Council Member Bud Catlin **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

**6. FINANCIAL MATTERS**

**6.1 Public Hearing – 6:30 p.m. – For the Revision to Salary and Compensation Ranges for Managerial and Technical II Category Due to Employees Who May be Due for Review and Who are Already at or Near the Maximum Salary for Their Positions - Mayor Auger**

19:39:19 Mayor Janice Auger explained that this issue was a continuation of previous Council discussions. It is before the Council for consideration due to employees who are due a salary increase who are near the maximum salary for their positions.

19:39:49 Council Chairman Wall opened the Public Hearing.

19:40:11 There being no comments, Chairman Wall declared the Public Hearing closed.

19:40:19 Lengthy Discussion was held by the Mayor and City Council.

**6.1.1 Ordinance No. 05-04 – Amending and Restating the Compensation Range for Managerial and Technical II Positions**

20:09:29 Council Member Les Matsumura **MOVED** to adopt Ordinance No. 05-04 Amending and Restating the Compensation Range for Managerial and Technical II Positions. **Motion died for lack of a second.**

20:10:21 Further discussion was held.

20:12:04 Council Member Russ Wall **MOVED** to approve Ordinance 05-04 amending the cap for Managerial at \$92,150. Council Member Les Matsumura **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Pratt-no, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-no. **All City Council members voted and the motion passed 3 to 2.**

## 7. OTHER MATTERS

### 7.1 Consideration of Appeal of File No. 42C04, Resident Ena May's Application for an Animal Hobby Permit – *Mark McGrath*

20:13:20 Community Development Director Mark McGrath explained that on December 14, 2004, the Taylorsville Planning Commission denied a Conditional Use Permit for an Animal Hobby License (applicant: Ena May, 4824 South 3475 West). The Planning Commission denied the application due to complaints submitted to the City regarding animals running at large and also because the applicant did not attend the meeting. According to Taylorsville City ordinance the Taylorsville City Council hears appeals of Planning Commission decisions concerning Conditional Use Permits. The ordinance stipulates that after receiving the letter of appeal, the City Council must choose one of three options concerning the appeal: 1) remand the issue back to the Planning Commission for further review, 2) uphold the Planning Commission decision, or 3) schedule a Public Hearing to hear the appeal.

20:16:04 Questions from the City Council were addressed.

20:27:08 Applicant Ena May then addressed the Council and responded to questions.

20:29:37 Council Chairman Russ Wall explained that a Hearing was not being held but the Council had three choices, which were explained above.

20:32:21 Council Member Les Matsumura said that, based on the information presented, he **MOVED** to remand the issue back to Planning Commission for further review. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

20:33:44 Council Chairman Russ Wall then called the applicant back and clarified the Council's decision to her. He also reported that the next Planning Commission Meeting will be held



Tuesday, February 9, 2005 and that she should be in attendance and present her case at that time.

**7.2 Ordinance No. 05-05 – Amending Title 2, Chapter 2.28, Employee Appeal Board to the Taylorsville Code of Ordinances – *John Brems***

20:36:24 City Attorney John Brems explained proposed Ordinance No. 05-05 and said that the rules and regulations have been changed to make them more formal.

20:39:09 Mr. Brems then addressed questions from Council.

20:56:57 Council Member Les Matsumura **MOVED** to adopt Ordinance No. 05-05 Amending Title 2, Chapter 2.28. Employee Appeal Board to the Taylorsville Code of Ordinances. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Pratt-yes, Wall-no, Matsumura-yes, Rechtenbach-yes, Catlin-yes. **All City Council members voted and the motion 4 to 1.**

20:58:00 Mayor Auger explained that the new employee personnel policy is nearly ready for publication.

**7.3 Resolution No. 05-04 - Authorizing and Directing the Mayor to Execute a Contract Transferring Surplus Property Commonly Referred to as the City Center Property to the Redevelopment Agency of Taylorsville City – *Donald Adams***

21:00:00 Economic Development Director Donald Adams explained that the proposed Resolution and Property Sale Agreement provides for a Trust Deed between the City of Taylorsville and the Redevelopment Agency of Taylorsville City obligating the Agency to forward all proceeds from the sale of the City Center site to the City of Taylorsville. The sale price for the subject site shall not be less than the declared surplus value of the property.

Mr. Adams explained that the City Council will need to act upon the Agreement once as the City Council, authorizing and directing the Mayor to execute the Sales Agreement. Then the City Council shall adjourn and reconvene as the Board of Directors for the Redevelopment Agency. The Board of Directors must then authorize and direct the Executive Director of the Redevelopment Agency to execute the Sales Agreement.

Mr. Adams further explained that by approving the Sales Agreement they would be allowed greater flexibility to dispose of the City Center Site.

21:04:25 Questions were then addressed regarding the subdivision of the property and the RDA process.

21:23:00 Following lengthy discussion, Council Member Jerry Rechtenbach **MOVED** to adopt Resolution No. 05-04 Authorizing and Directing the Mayor to Execute a Contract Transferring Surplus Property Commonly Referred to as the City Center Property to the Redevelopment Agency of Taylorsville City. Council Member Les Matsumura **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Pratt-no, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-no. **All City Council members voted and the motion passed 3 to 2.**

**7.4 Ordinance No. 05-03 – Naming of a Public Place Located at 1488 W. 4800 S. (Jones Dairy)**

21:24:10 Mayor Janice Auger explained the proposed resolution naming the Jones Dairy property the Taylorsville Bennion Heritage Center.

21:24:25 Council Member Morris Pratt **MOVED** to adopt Ordinance No. 05-03 as presented. Council Member Bud Catlin **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

**8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)**

21:24:59 Council Member Morris Pratt said that the Ordinance Review Committee has reviewed several ordinances regarding pocket bikes and a proposed ordinance will be submitted to the City Council on February 2, 2005. Council Member Russ Wall requested that all motorized bikes be included in the ordinance.

**9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)**

21:27:49

- 9.1 City Council Briefing Session – February 2, 2005 - 6:00 p.m.
- 9.2 City Council Meeting – Wednesday, February 2, 2005 – 6:30 p.m.
- 9.3 Work Session – Wednesday, February 9, 2004 – 6:00 p.m.
- 9.4 City Council Briefing Session – February 16, 2005 – 6:00 p.m.
- 9.5 City Council Meeting – Wednesday, February 16, 2005 – 6:30 p.m.
- 9.6 Capital Project Plan – February 19, 2005

## **10. CALENDAR OF UPCOMING EVENTS**

21:28:42

- 10.1 Taylorsville Art & Snow Sculpture Show – 1:00–5:00 p.m. – Taylorsville City  
Offices Saturday, January 22, 2005

## **11. ADJOURNMENT**

21:29:05 Council Member Morris Pratt **MOVED** to adjourn the City Council Meeting. Council Member Les Matsumura **SECONDED** the motion. Chairman Wall called for discussion. There being none, he called for a vote. The vote was as follows: The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 9:29 p.m.

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Virginia Loader, City Recorder

Minutes approved: CC 02-02-05